

REMARKS

In response to the pending Office Action, claims 1-14 are cancelled without prejudice, and claims 15-19 are newly added. Claims 15-19 are now active in this application. No new matter has been added. The amendments are supported, at a minimum, by line 5 of page 5 to line 19 of page 7; line 18 of page 9 to line 11 of page 10; and line 13 of page 14 to line 25 of page 15. The only pending independent claim is claim 15.

The specification is objected to regarding informalities. Applicants submit that this objection is overcome by the foregoing amendments to the specification.

The drawings are objected to for failing to comply with 37 C.F.R. 1.84(p)(4) and 37 C.F.R. 1.84(p)(5) regarding reference characters. Applicants submit that this objection is overcome by the foregoing amendments to the drawings.

Claims 13 and 14 are objected to for informalities. Applicants submit that this objection is moot because claims 13 and 14 are cancelled.

Claims 11 and 12 are rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Thiagarajan (U.S. 7,149,415). Applicants submit that this rejection is moot because claims 11 and 12 are cancelled.

Claims 1-4, 7-10, and 13-14 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Lord (U.S. 2003/0002849) in view of Potrebic (U.S. 6,804,824). Applicants submit that this rejection is moot because these claims are cancelled.

Claims 5 and 6 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Lord in view of Potrebic and further in view of Thiagarajan. Applicants submit that this rejection is moot because these claims are cancelled.

Claims 15-19 are the only pending claims, and these claims have not yet been examined. In the interests of compact prosecution, independent claim 15 will be distinguished over the cited prior art references.

Independent claim 15 recites, in part:

a broadcast receiver which receives a broadcast signal that contains video information of a program and information about the program;

a display which displays the video information received by the broadcast receiver;

a storage which extracts a part of the video information as program identification image information and stores the program identification image information associated with the information about the program when a recording instruction is inputted by a user of the information processing terminal while the video information is being displayed by the display;

a transmitter which transmits information to the recorder/player; and

a controller which controls the **display so as to display the program identification image information stored in the storage and the transmitter so as to transmit the information about the program associated with the program identification image information to the recorder/player when a reproduction instruction is inputted by the user after the program identification image information displayed by the display has been selected by the user.** (emphasis added)

An illustrative and non-limiting example of claim 15 is shown in FIG. 6 of the application, and described in the specification from page 14, line 13, to page 15, line 11:

FIG. 6 shows an example of information that the display section 13 of the mobile terminal 1 displays in the above sequence. This figure exemplifies a situation where **the user is prompted to select a replay target** after a communication link with the recorder/player 2 is established (T105). To let the

user visually confirm the establishment of a communication link, indications A108 and A109 appear on the display. **The user can choose a replay target by using a scrolling feature (A105) on the operating control section 15.** When the operating control section 15 is operated to select a replay function (A120), the selected program information is transmitted to the recorder/player 2.

If, for instance, the user records into the mobile terminal the program information about a program viewed within a free time period during the user's move, and intends to replay the program stored in the recorder/player 2 installed on the user's premises when the user comes home, **the above feature saves the user the bother of searching for the program by checking many programs stored in the recorder/player 2.** The user can readily locate and view the program by issuing a replay instruction with operating control A120 and performing some other simple procedure. Therefore, enhanced user-friendliness is provided. (emphasis added)

In other words, a part of the video information is extracted as program identification information, when a recording request is inputted from a user in the case where the video information of a program is displayed on a display portion of the information processing terminal; and the program image information corresponding to the program information is memorized. Further, when the user selects the program identification image information displayed on the display portion, then a reproduction request is transmitted to a recording/reproducing apparatus, together with the program information corresponding to that program identification information. In this fashion, after the user comes home it is not necessary for the user to search out the image or video information corresponding thereto among the image information recorded in the recording/reproducing apparatus. Thus, it is possible to **request the reproduction of the corresponding program only by selection of the program identification image information displayed on the information processing terminal**, which provides enhanced user-friendliness.

Thiagarajan, in contrast to claim 15, discloses merely that the program information of the program, recording of which is not yet completed, is compared with the electronic program guide (EPG) data so as to determine whether that program is broadcasted again or not, and in the

case when that program will be broadcasted again (re-broadcasted), then recording of the entire re-broadcasted program or of a part of the re-broadcasted program is programmed.

Thus, Thiagarajan does not teach or suggest, “display the program identification image information stored in the storage and the transmitter so as to transmit the information about the program associated with the program identification image information to the recorder/player when a reproduction instruction is inputted by the user after the program identification image information displayed by the display has been selected by the user,” as required by claim 15. Claim 15 is not anticipated by Thiagarajan.

Lord, in contrast to claim 15, discloses merely bringing video outputs from recorders at two (2) or more places into synchronization by transmitting a signal from a first recorder to a second recorder, selecting a program being common for the first recorder and the second recorder, and initiating a start sequence within the first recorder and the second recorder respectively. See paragraphs [0007], [0009], an [0046] of Lord for additional discussion. Also, Lord discloses merely that a display is made of the programs which are recorded in advance, as illustrated in FIG. 7 and discussed at paragraph [0029] of Lord.

Thus, Lord does not teach or suggest, a terminal to “display the program identification image information stored in the storage and the transmitter so as to transmit the information about the program associated with the program identification image information to the recorder/player when a reproduction instruction is inputted by the user after the program identification image information displayed by the display has been selected by the user,” as required by claim 15. Claim 15 is not anticipated by Lord.

Potrebic, in contrast to claim 15, discloses merely that program contents include EPG data such as a program title and an explanation of the program, as discussed at column 6, lines

41-48. Further, Potrebic discloses merely that a user memorizes a history of channels which the user viewed recently, as illustrated in FIG. 3A and discussed at column 8, lines 2 and 3.

Thus, Potrebic also does not teach or suggest, a terminal to “display the program identification image information stored in the storage and the transmitter so as to transmit the information about the program associated with the program identification image information to the recorder/player when a reproduction instruction is inputted by the user after the program identification image information displayed by the display has been selected by the user,” as required by claim 15. Claim 15 is not anticipated by Potrebic.

For the above reasons, Applicants submit that independent claim 15 also is not obvious in view of any of the proposed combinations of the cited prior art references. Thus, Applicants submit that independent claim 15 is novel and patentable over the cited prior art.

Under Federal Circuit guidelines, a dependent claim is allowable if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987).

Thus, as independent claim 15 is allowable for the reasons set forth above, it is respectfully submitted that dependent claims 16-19 are allowable for at least the same reasons.

Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call the undersigned attorney at the telephone number shown below.

Application No.: 10/618,854

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Ed Garcia-Otero

Eduardo Garcia-Otero
Registration No. 56,609

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 KEG/EG:dp
Facsimile: 202.756.8087
Date: March 12, 2008

**Please recognize our Customer No. 20277
as our correspondence address.**

WDC99 1533837-2.062758.0042